

COPY

1 **Todd M. Friedman (216752)**
2 **Suren N. Weerasuriya (278521)**
3 **Adrian R. Bacon (280332)**
4 **Law Offices of Todd M. Friedman, P.C.**
5 **324 S. Beverly Dr, #725**
6 **Beverly Hills, CA 90212**
7 **Phone: 877-206-4741**
8 **Fax: 866-633-0228**
9 **tfriedman@attorneysforconsumers.com**
10 **sweerasuriya@attorneysforconsumers.com**
11 **abacon@attorneysforconsumers.com**
12 **Attorneys for Plaintiff**

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 19 2015

BY Victoria Sanchez
VICTORIA SANCHEZ, DEPUTY

11/4/15
1:12 PM

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SAN BERNARDINO**
11 **LIMITED JURISDICTION**

12)
13)
14 **REY RABAGO,**

15 **Plaintiff,**

16 **vs.**

17 **MONARCH RECOVERY**
18 **MANAGEMENT, INC.,**

19 **Defendant.**
20)
21)
22)

Case No.

CIVDS1515402

(Amount not to exceed \$10,000)

1. Violation of Rosenthal Fair Debt Collection Practices Act
2. Violation of Fair Debt Collection Practices Act
3. Violation of Telephone Consumer Protection Act

BY FAX

23 **I. INTRODUCTION**

24 1. This is an action for damages brought by an individual consumer for Defendant's
25 violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.*
26 (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.*
27 (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive,
28 deceptive, and unfair practices. Ancillary to the claims above, Plaintiff further alleges claims

1 for Defendant's violations of the Telephone Consumer Protection Act., 47 U.S.C. §227, *et seq.*
 2 (hereinafter "TCPA").

3 4 II. PARTIES

5 2. Plaintiff, Rey Rabago ("Plaintiff"), is a natural person residing in San
 6 Bernardino County in the state of California, and is a "consumer" as defined by the FDCPA,
 7 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

8 3. At all relevant times herein, Defendant, Monarch Recovery Management, Inc.
 9 ("Defendant") was a company engaged, by use of the mails and telephone, in the business of
 10 collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5),
 11 and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts
 12 to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the
 13 FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(c). Further, Defendant
 14 uses an "automatic telephone dialing system" as defined by the TCPA, 47 U.S.C. §227.
 15

16 17 III. FACTUAL ALLEGATIONS

18 4. At various and multiple times prior to the filing of the instant complaint,
 19 including within the one year preceding the filing of this complaint, Defendant contacted
 20 Plaintiff in an attempt to collect an alleged outstanding debt.

21 5. On or about February of 2015, Defendant began calling Plaintiff regarding an
 22 alleged debt owed. Defendant contacted or attempted to contact Plaintiff on his cellular
 23 telephone number, (559) 736-1919.
 24

25 6. Defendant often called from phone number 866-950-9921.

26 7. Defendant called with such frequency as to constitute harassment under the
 27 circumstances.
 28

1 8. On August 17, 2015, Plaintiff's counsel sent a written notice of representation.
2 Defendant has failed to respond at this time.

3 9. Furthermore, during all relevant times, Defendant used an "automatic telephone
4 dialing system", as defined by 47 U.S.C. § 227(a)(1), to place its repeated collection calls to
5 Plaintiff seeking to collect the debt allegedly owed.
6

7 10. Defendant's calls constituted calls that were not for emergency purposes as
8 defined by 47 U.S.C. § 227(b)(1)(A).

9 11. Defendant's calls were placed to telephone number assigned to a cellular
10 telephone service for which Plaintiff incur a charge for incoming calls pursuant to 47 U.S.C.
11 §227(b)(1).

12 12. During all relevant times, Defendant did not have Plaintiff's prior consent to be
13 contacted via an "automated telephone dialing system".

14 13. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,
15 including but not limited to:

- 16
- 17 a) Causing a telephone to ring repeatedly or continuously to annoy Plaintiff
18 (Cal Civ Code § 1788.11(d));
 - 19 b) Communicating, by telephone or in person, with Plaintiff with such
20 frequency as to be unreasonable and to constitute an harassment to
21 Plaintiff under the circumstances (Cal Civ Code § 1788.11(e));
 - 22 c) Causing Plaintiffs telephone to ring repeatedly or continuously with intent
23 to harass, annoy or abuse Plaintiff (§ 1692d(5));
 - 24 d) Communicating with Plaintiff at times or places which were known or
25 should have been known to be inconvenient for Plaintiff (§1692c(a)(1));
26 and
 - 27 e) Engaging in conduct the natural consequence of which is to harass,
28 oppress, or abuse Plaintiff (§1692d)).

1
2 14. Defendant's conduct violated the TCPA by:

- 3 a) using any automatic telephone dialing system or an artificial or pre-
4 recorded voice to any telephone number assigned to a paging service,
5 cellular telephone service, specialized mobile radio service, or other
6 radio common carrier service, or any service for which the called party is
7 charged for the call (47 USC §227(b)(A)(iii)).

8 15. As a result of the above violations of the FDCPA, RFDCPA, and TCPA,
9 Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,
10 embarrassment, mental anguish and emotional distress. Plaintiff has even had to resort to
11 taking sleeping pills because of the telephone calls. Defendant is liable to Plaintiff for
12 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

13 **COUNT I: VIOLATION OF ROSENTHAL**
14 **FAIR DEBT COLLECTION PRACTICES ACT**

15 16. Plaintiff reincorporates by reference all of the preceding paragraphs.

16 17. To the extent that Defendant's actions, counted above, violated the RFDCPA,
17 those actions were done knowingly and willfully.

18 **PRAYER FOR RELIEF**

19
20 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
21 for the following:

- 22 A. Actual damages;
23 B. Statutory damages for willful and negligent violations;
24 C. Costs and reasonable attorney's fees,
25 D. For such other and further relief as may be just and proper.

26 **COUNT II: VIOLATION OF FAIR DEBT**
27 **COLLECTION PRACTICES ACT**

28 18. Plaintiff reincorporates by reference all of the preceding paragraphs.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and,
- D. For such other and further relief as may be just and proper.

**COUNT III: VIOLATION OF TELEPHONE CONSUMER
PROTECTION ACT**

19. Plaintiff incorporates by reference all of the preceding paragraphs.

20. The foregoing acts and omissions of Defendant constitute numerous and multiple negligent violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

21. As a result of Defendant's negligent violations of 47 U.S.C. § 227 *et seq.*, Plaintiff is entitled an award of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

22. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

23. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 *et seq.*, Plaintiff is entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

24. Plaintiff is entitled to and seek injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- 1 A. As a result of Defendant's negligent violations of 47 U.S.C. §227(b)(1),
2 Plaintiff is entitled to and requests \$500 in statutory damages, for each
3 and every violation, pursuant to 47 U.S.C. 227(b)(3)(B);
- 4 B. As a result of Defendant's willful and/or knowing violations of 47 U.S.C.
5 §227(b)(1), Plaintiff is entitled to and requests treble damages, as
6 provided by statute, up to \$1,500, for each and every violation, pursuant
7 to 47 U.S.C. §227(b)(3)(B) and 47 U.S.C. §227(b)(3)(C); and
- 8 C. Any and all other relief that the Court deems just and proper.

9 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

10 Respectfully submitted this 19th day of October, 2015.

11 By:

12 Todd M. Friedman, Esq.
13 Law Offices of Todd M. Friedman, P.C.
14 Attorney for Plaintiff
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COPY**BY FAX**

SUM-100

**SUMMONS
(CITACION JUDICIAL)****NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):****MONARCH RECOVERY MANAGEMENT, INC.****YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):****REY RABAGO**FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**FILED**
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

OCT 19 2015

BY Victoria Sanchez
VICTORIA SANCHEZ, DEPUTY**NOTICE:** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **(AVISO: Le han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.)**

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorta.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorta.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): **Superior Court of San Bernardino**
247 West Third Street
San Bernardino CA 92415-0210

CASE NUMBER:
(Número del Caso): **CIVDS1515402**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Todd M. Friedman, 324 S. Beverly Dr., #725, Beverly Hills, CA 90212, 877-206-4741

DATE:
(Fecha)**OCT 19 2015**Clerk, by
(Secretario)**Victoria Sanchez**Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

- 3.
- ☐
- on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.80 (authorized person)
☐ other (specify):

- 4.
- ☐
- by personal delivery on (date):

Page 1 of 1

COPY

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Todd M. Friedman, Esq. SBN 216752 Law Offices of Todd M. Friedman 324 S. Beverly Dr., #725 Beverly Hills, CA 90212 TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228 ATTORNEY FOR (Name): Plaintiff, REY RABAGO		FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT OCT 19 2015 BY <u>Victoria Sanchez</u> VICTORIA SANCHEZ, DEPUTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Solano STREET ADDRESS: 247 West Third Street MAILING ADDRESS: 247 West Third Street CITY AND ZIP CODE: San Bernardino CA 92415 BRANCH NAME:		
CASE NAME: REY RABAGO v. MONARCH RECOVERY MANAGEMENT, INC.		CASE NUMBER: CIVDS1515402 JUDGE: DEPT:
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less) Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (48) Other PUPDWD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PUPDWD (23) Non-PUPDWD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (18) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PUPDWD tort (35) Employment <input type="checkbox"/> Wrongful termination (38) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (08) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (28) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (30)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxics tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 3
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: October 19, 2015

Todd M. Friedman

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

 Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)
CIVIL CASE COVER SHEET
 Cal. Rules of Court, rules 3.20, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, rule 3.10
www.courtinfo.ca.gov

 American LegalNet, Inc.
www.ForthWorflow.com

BY FAX

COPY**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO****REY RABAGO****CASE NO.:****CIVDS1515402****vs.****CERTIFICATE OF ASSIGNMENT****MONARCH RECOVERY MANAGEMENT, INC.**

A civil action or proceeding presented for filing must be accompanied by this Certificate. If the ground is the residence of a party, name and residence shall be stated.

The undersigned declares that the above-entitled matter is filed for proceedings in the
 San Bernardino District of the Superior Court under Rule 404 of this court for the
 checked reason:

☒ **General**☐ **Collection****Nature of Action**

- ☐ 1. Adoption
☐ 2. Conservator
☐ 3. Contract
☐ 4. Equity
☐ 5. Eminent Domain
☐ 6. Family Law
☐ 7. Guardianship
☐ 8. Harassment
☐ 9. Mandate
☐ 10. Name Change
☐ 11. Personal Injury
☐ 12. Personal Property
☐ 13. Probate
☐ 14. Prohibition
☐ 15. Review
☐ 16. Title to Real Property
☐ 17. Transferred Action
☐ 18. Unlawful Detainer
☐ 19. Domestic Violence
☒ 20. Other RFDCPA
☐ 21. THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT

Ground

Petitioner resides within the district.
 Petitioner or conservatee resides within the district.
 Performance in the district is expressly provided for.
 The cause of action arose within the district.
 The property is located within the district.
 Plaintiff, defendant, petitioner or respondent resides within the district.
 Petitioner or ward resides within the district or has property within the district.
 Plaintiff, defendant, petitioner or respondent resides within the district.
 The defendant functions wholly within the district.
 The petitioner resides within the district.
 The injury occurred within the district.
 The property is located within the district.
 Decedent resided or resides within the district or had property within the district.
 The defendant functions wholly within the district.
 The defendant functions wholly within the district.
 The property is located within the district.
 The lower court is located within the district.
 The property is located within the district.
 The petitioner, defendant, plaintiff or respondent resides within the district.
 Plaintiff resides within the district.

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the above-designed district is:

<u>Roy Rabago</u>	<u>1334 Milburn Ave</u>
NAME - INDICATE TITLE OR OTHER QUALIFYING FACTOR	ADDRESS
<u>1334 Milburn Ave</u>	<u>1334 Milburn Ave</u>
CITY	ZIP CODE
<u>CA</u>	
STATE	

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was executed
 on October 19, 2015 at Beverly Hills, California

*Signature of Attorney/Party***CERTIFICATE OF ASSIGNMENT****BY FAX**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

San Bernardino District - Civil
247 West Third Street

San Bernardino, CA. 924150210

CASE NO: CIVDS1515402

LAW OFFICES OF TODD M FRIEDMAN
324 S BEVERLY DR. #725
BEVERLY HILLS CA 90212

NOTICE OF TRIAL SETTING CONFERENCE
and NOTICE OF CASE ASSIGNMENT

IN RE: RABAGO-V-MONARCH RECOVERY MANAGEMENT, INC.

THIS CASE HAS BEEN ASSIGNED TO: DONNA GUNNELL GARZA IN DEPARTMENT S24
FOR ALL PURPOSES.

Notice is hereby given that the above-entitled case has been set for
Trial Setting Conference at the court located at 247 WEST THIRD STREET
SAN BERNARDINO, CA 92415-0210.

HEARING DATE: 04/13/16 at 8:30 in Dept. S24

DATE: 10/19/15 Christina M. Volkers, Clerk of the Court

By: VICTORIA SANCHEZ

CERTIFICATE OF SERVICE

I am a Deputy Clerk of the Superior Court for the County of San
Bernardino at the above listed address. I am not a party to this
action and on the date and place shown below, I served a copy of the
above listed notice:

() Enclosed in a sealed envelope mailed to the interested party
addressed above, for collection and mailing this date, following
standard Court practices.

() Enclosed in a sealed envelope, first class postage prepaid in the
U.S. mail at the location shown above, mailed to the interested party
and addressed as shown above, or as shown on the attached listing.

(X) A copy of this notice was given to the filing party at the counter

() A copy of this notice was placed in the bin located at this office
and identified as the location for the above law firm's collection of
file stamped documents.

Date of Mailing: 10/19/15

I declare under penalty of perjury that the foregoing is true and
correct. Executed on 10/19/15 at San Bernardino, CA

BY: VICTORIA SANCHEZ